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# Security Council

Sixty-fifth year

*Provisional*

**6400**th meeting

Thursday, 14 October 2010, 3.30 p.m.

New York

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| *President*: | Mr. Rugunda | (Uganda) |
| *Members*: | Austria | Mr. Mayr-Harting |
| | Bosnia and Herzegovina | Mr. Barbalić |
| | Brazil | Mrs. Viotti |
| | China | Mr. Yang Tao |
| | France | Mr. Araud |
| | Gabon | Mr. Issoze-Ngondet |
| | Japan | Mr. Nishida |
| | Lebanon | Mr. Salam |
| | Mexico | Mr. Puente |
| | Nigeria | Mr. Lolo |
| | Russian Federation | Mr. Pankin |
| | Turkey | Mr. Karamanoğlu |
| | United Kingdom of Great Britain and Northern Ireland | Sir Mark Lyall Grant |
| | United States of America | Ms. Rice |

## Agenda

The situation concerning the Democratic Republic of the Congo

First report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2010/512)

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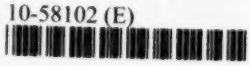

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*The meeting was called to order at 3.30 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation concerning the Democratic Republic of the Congo**

**First report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2010/512)**

**The President**: I should like to inform the Council that I have received a letter from the representative of Democratic Republic of the Congo, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Ileka (Democratic Republic of the Congo) took a seat at the Council table.*

**The President**: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict.

It is so decided.

I invite Ms. Wallström to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Council will hear a briefing by Ms. Margot Wallström, to whom I give the floor.

**Ms. Wallström**: As members of the Security Council know, my role as Special Representative of the Secretary-General on Sexual Violence in Conflict is a global one. Like the scourge of sexual violence itself, it traverses all of geography and history. Conflict-related sexual violence is not specific to any culture or continent, yet it still surprises people when I say that it is neither cultural nor even sexual, but criminal — a crime of international concern.

I thank you, Sir, and the Security Council for once again having invited me to brief you on my visit to the Democratic Republic of the Congo and to bring the voices of Congolese women to this Council, as I promised them to do.

"A dead rat is worth more than the body of a woman" were the words of one distraught young woman in Walikale. It was an expression of how human rights violations against women are still the lowest on a false hierarchy of wartime horrors. We travelled the dirt road to Kampala and Nyasi villages; there was impenetrable jungle on both sides, with narrow paths leading into the forest. We could imagine the dark night being split by gunshots and hordes of soldiers moving from one hut to another to loot and rape and threaten. A string of small villages along the road were still deserted — testament to the lasting terror of this attack. Families prefer to sleep in the forest since they do not feel safe in their own homes.

"Why is this a security issue?", some may still ask. The answer is because there is no security to go about everyday subsistence activities; because women, who are the mainstay of local economies, can no longer access markets; because families are dispersed. Armed elements assert control and dominance over the area. The rapes of elderly women left the communities reeling with shock. They served to shatter the social taboos and the shared heritage that hold people together. The women themselves insisted on one thing above all — they want peace. But we cannot wait for peace to bring peace to the lives of women. We must insist that where sexual violence is planned and orchestrated as a tactic of war, it be viewed as preventable.

Following the mass rapes in Walikale, I called on this Council and the international community to ensure that the perpetrators and those who bear command responsibility do not escape into the night. In this regard, there is some good news. This week, Callixte Mbarushimana, Executive Secretary of the Forces Démocratiques pour la libération du Rwanda (FDLR) — one of the rebel groups implicated in the atrocities —

was arrested in Paris under an International Criminal Court (ICC) warrant. I wish to take this opportunity to commend the French authorities who effected this arrest, and the Prosecutor of the ICC, Mr. Luis Moreno-Ocampo, for actively pursuing the mass sexual crimes committed in the Democratic Republic of the Congo. That arrest complements the positive action taken earlier this year by German authorities to detain other FDLR leaders, namely Mr. Ignace Murwanashyaka and Straton Musoni, on war crimes charges.

In addition, last week United Nations peacekeepers arrested "Lieutenant Colonel" Sadoke Kokunda Mayele, who was identified by victims as the commander of the Mayi-Mayi Cheka rebel group presumed to be among those responsible for the mass rapes in Walikale. I named Mayele specifically in my briefing to the Security Council several weeks ago, and his arrest sends a loud and clear message that impunity for crimes of sexual violence will not be tolerated. I congratulate the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) for the apprehension of Mayele, particularly our Indian peacekeepers and our Head of Office in the East, who mounted the operation. Mayele was immediately handed over to national authorities, and it is my hope that we will now have further information on the ringleaders in Kibua-Mpofi and that more arrests will follow. I urge the Government of the Democratic Republic of the Congo to ensure an exemplary process of justice in the Mayele case and a timely and comprehensive investigation into the mass rapes.

The case of Mayele shows that it is possible to bring pressure to bear on commanders. It is even possible to compel them to turn over to justice perpetrators of sexual violence from within their own ranks. In this respect, the apprehension of Mayele represents an important precedent and possibility. It is a case of an armed group turning in on itself; it is a case of having a rapist and an association with rape become a liability for armed groups. When commanders can no longer rest easy in the certainty of impunity, and when it begins to cross their mind that they may be turned in by their own for commissioning or condoning rape, that is the moment when we open a new front in the battle to end impunity. To do so, we must deepen our information on armed groups, and on this basis engage them more systematically and put them under pressure. We must seek to penetrate their chains of command and disrupt them from within.

It is crucial that we use all the means at our disposal. In this regard, the leverage that we gain from the credible threat of Council sanctions against perpetrators of sexual violence cannot be underestimated. It made a difference in the Mayele case. Therefore, I reiterate my call on this Council to escalate the focus on crimes of sexual violence in the work of the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo. As a start, I urge the Committee to consider the inclusion of "Colonel" Serafim of the FDLR on its sanctions list. This may be done on the basis of the credible information from witnesses on the scene that he also commanded the mass rapes in Walikale. I remain at the disposal of the sanctions Committee to provide information on the issue of conflict-related sexual violence in the Democratic Republic of the Congo. .

We must seize the momentum of these arrests to begin turning the tide of impunity. The arrests must serve as a warning to perpetrators of sexual violence everywhere, and we cannot underestimate the importance of such actions for the victims and their communities. They represent a glimmer of hope for them — a moment of solace that the world is not blind to their plight, and a possibility that those who brutalize them will ultimately be held to account.

Rapes will continue so long as consequences are negligible. We must close future options and avenues of advancement for perpetrators. They should be excluded from any amnesty provisions. They should be ineligible for disarmament, demobilization and reintegration benefits. The avenues for future political roles and governance should be closed to those who commit acts of rape.

I am gravely concerned about the ongoing military operations by the Forces armées de la République démocratique du Congo (FARDC) in the Walikale territory and the implications for the protection of civilians. Thousands of FARDC troops have now been deployed to the territory in an operation to implement the President's moratorium on mining in the area and to reassert Government control. There is already some information from MONUSCO peacekeepers on the ground that rapes, killings and looting have been perpetrated by FARDC soldiers. The

possibility that the same communities that were brutalized in July and August by FDLR and Mayi-Mayi elements are now also suffering exactions at the hands of FARDC troops is unimaginable and unacceptable.

I call on the Government of the Democratic Republic of the Congo to swiftly investigate such allegations and hold any perpetrators to account. The protection of civilians must be the primary consideration of the operations in Walikale. I urge the deployment of the national police to Walikale specifically to ensure security of an investigation team which that shortly be deployed by the Auditeur militaire of North Kivu. I also urge the deployment of a deeper police presence in general in high-risk zones as a visible and active protection presence.

I have requested that peacekeepers continue to monitor and report, through their daily situation reports, on rapes and other exactions that may be occurring, and to share this information with relevant MONUSCO civilian sections. It is also critical that human rights monitors be deployed. That will require additional resources as a matter of urgency.

The mass rapes in Walikale demonstrate a nexus between the illicit exploitation of natural resources by armed elements and patterns of sexual violence. It is evident that communities in lucrative mining areas are at particularly high risk. The mineral wealth that should be the source of their prosperity is instead the source of their greatest suffering. I encourage more concerted attention on this issue. Therefore, mass rapes that occurred in Walikale should also be investigated from the angle of the competition over mining interests as one of the root causes of conflict and sexual violence.

I also encourage European countries and other Member States to enact legislation requiring companies to disclose whether their products contain minerals sourced from the Democratic Republic of the Congo. This is not only a fundamental issue of corporate responsibility, but also an opportunity for consumers to make choices that make a difference.

I want to take a moment to focus on our peacekeepers themselves. I have witnessed firsthand their determination to do all they possibly can to protect civilians, but the reality is that they are overstretched and underresourced. They are demoralized by the sheer scale of the problems and by the constant barrage of criticism from all quarters. These are dedicated women and men who are making tremendous sacrifices to serve. They deserve our empathy and support, and therefore I appeal to the Security Council to ensure that MONUSCO's strong protection mandate is also backed by adequate financial resources and other critical assets for the Mission to do its work. There seems to be a widening gap between the expectations of MONUSCO and the means the Mission has to execute its mandate.

It is also vital that Council members and other influential Member States provide the requisite political backing for MONUSCO. We have challenged our peacekeepers to adopt a more robust and proactive posture to protect civilians, and this must be matched by a more robust posture at the political level.

MONUSCO's response is just one facet of the broader United Nations system response to conflict-related sexual violence in the Democratic Republic of the Congo. This is coordinated through the Comprehensive Strategy to Combat Sexual Violence. The Strategy provides a platform for joint — not merely joined up — United Nations system action. However, I am very concerned that implementation lags because United Nations agencies are still largely working in silos. Even some of the most critical services for survivors are not yet being delivered in an effective and timely manner.

United Nations entities must show more commitment to delivering as one and being accountable for protection and prevention, as well as service delivery. I call on United Nations agency heads here at Headquarters to make it a personal priority to ensure that the innovative and comprehensive approach that is being implemented in the Democratic Republic of the Congo becomes our flagship in preventing and addressing conflict-related sexual violence. MONUSCO's Sexual Violence Unit is charged with coordinating and monitoring the implementation of the Strategy and requires adequate human resources to carry out this role.

One thing that many of our colleagues say is that MONUSCO cannot be present behind every tree and every stone. This is true. The role of the United Nations in the Congo is to support national authorities, who bear the primary responsibility to protect the population. For no one should this be a greater priority than for the Government of the Democratic Republic of the Congo.

I commend the Government of the Democratic Republic of the Congo for some of the policies adopted to combat sexual violence. These include the announcement of the moratorium on mining in three provinces following the Walikale atrocities, and the policy of zero tolerance for sexual violence within the Forces armées de la République démocratique du Congo. But so far, zero tolerance has been underpinned largely by zero consequences for such crimes. This represents a fundamental issue of credibility for the Government of the Democratic Republic of the Congo. The reputation of the Congo continues to be held hostage by those who commit crimes of sexual violence and the perceived lack of will to address impunity. I urge the Congolese leadership to give voice and action to this issue and to send a signal that combating sexual violence is a matter of the utmost priority.

The atrocities that are committed daily against women and children will leave a devastating imprint on the Congo for years to come. We have seen this elsewhere. In places where sexual violence has been used as a tactic of war, the consequences spill over into the peace. Where sexual violence has been a way of war, it can destroy a way of life.

Children accustomed to rape and violence can grow into adults who accept such behaviour as the norm. Rape is shattering traditions that anchor community values, disrupting their transmission to future generations. For the women of Walikale, peace is not a treaty, a resolution or a conference, but simply the peace of mind to live and work without fear. For these women, justice delayed is more than justice denied; it is terror continued.

**The President**: I thank Ms. Wallström for her briefing.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion on the subject.

*The meeting rose at 3.50 p.m.*